

(Docket Entry No. 3)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

S.W. INDIVIDUALLY AND O/B/O V.W., :

Plaintiff, :

v. :

BRIDGETON BOARD OF EDUCATION, :

Defendant. :

Civil No. 05-0043 (RBK)

ORDER

THIS MATTER having come before the Court upon Defendant's Cross-Motion for Summary Judgment; and the Court having considered the moving papers and any opposition thereto; and for the reasons set forth in the Opinion issued this date;

IT IS HEREBY ORDERED that Defendant's motion is denied without prejudice; and

IT IS FURTHER ORDERED that all parties, including Tracee Edmondson, shall appear before this Court at 9:30 a.m. on March 17, 2006 to answer questions under oath regarding the preparation and filing of the Plaintiff's pleadings, motions, and other legal filings in this case; and

IT IS FURTHER ORDERED that should the above-captioned case proceed after the hearing on March 17, 2006, the parties may submit properly supported motions for summary judgment as long as the following terms are met:

(1) S.W. must submit a sworn certification under penalty of perjury that she, and not Tracee Edmondson, personally prepared any and all further motions, affidavits, and other legal papers filed in this case.

(2) Tracee Edmondson must submit a sworn affidavit or certification under

penalty of perjury that she has not prepared any motions, affidavits, or other legal filings submitted on S.W.'s behalf in this case.

(3) Edmondson must submit a new bill for her fees in which she clearly distinguishes between compensable time spent in consultation and noncompensable time spent as a legal advocate or representative.

(4) If S.W. does file a new motion for summary judgment on her claim for fees and costs, she must submit (a) evidence regarding the prevailing market rates in the community for lay educational consultants, (b) evidence establishing that plaintiff is a prevailing party within the meaning of the IDEA, and (c) evidence that Edmondson's services were necessary in obtaining a favorable outcome for S.W. in the administrative process.

Dated: 2-24-06

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge